

ORDINANCE NO. 017473

AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 010993 WHICH CHANGED THE ZONING OF A PORTION OF BLOCKS 42 AND 43 OF ALEXANDER ADDITION; PORTION OF COLLINS SURVEY NO. 209; PORTIONS OF PIERCE STREET, ERIE STREET AND SCHUSTER STREET; AN ALLEY ADJOINING A PORTION OF BLOCKS 42 AND 43 OF ALEXANDER ADDITION AND COLLINS SURVEY NO. 209 AND A PORTION OF BLOCK 302, PIERCE FINLEY ADDITION; AND PORTIONS OF PIERCE STREET AND AN ALLEY ADJACENT TO PORTION OF BLOCK 302, PIERCE FINLEY ADDITION; AND PORTIONS OF PIERCE STREET AND AN ALLEY ADJACENT TO A PORTION OF BLOCK 302, PIERCE FINLEY ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the zoning of the property described as *a portion of Blocks 42 and 43 of Alexander Addition; portion of Collins Survey No. 209; portions of Pierce Street, Erie Street and Schuster Street; an alley adjoining a portion of Blocks 42 and 43 of Alexander Addition and Collins Survey No. 209 and a portion of Block 302, Pierce Finley Addition; and portions of Pierce Street and an alley adjacent to portion of Block 302, Pierce Finley Addition; and portions of Pierce Street and an alley adjacent to a portion of Block 302, Pierce Finley Addition, City of El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", was changed by Ordinance No. 010993, approved by City Council on April 28, 1992; and,

WHEREAS, the rezoning was subject to the following zoning condition:

Providing a deceleration on Schuster Avenue to secure traffic safety onto the property prior to the issuance of a certificate of occupancy. A site plan indicating the deceleration lane and the redesign of the driveway locations and off-street parking shall be approved by the Director of Traffic and Transportation prior to the issuance of building permits; and,

WHEREAS, placement of such condition was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the applicant submitted an application requesting the removal of the condition on the above described property; and,

WHEREAS, a public hearing regarding removal of the conditions was held before the City Plan Commission, and the Commission recommended approval of the release of the condition; and,

WHEREAS, the City Council of the City of El Paso has determined that the release of the above condition will protect the best interest, health, safety and welfare of the public in general.

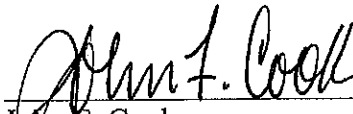
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That the zoning condition imposed by Ordinance No. 010993 dated April 28, 1992 requiring that *providing a deceleration on Schuster Avenue to secure traffic safety onto the property prior to the issuance of a certificate of occupancy. A site plan indicating the deceleration lane and the redesign of the driveway locations and off-street parking shall be approved by the Director of Traffic and Transportation prior to the issuance of building permits shall be released on the portion of land identified in Exhibit "A"; and,*

2. Except as herein amended, Ordinance No. 010993 shall remain in full force and effect.


PASSED AND APPROVED this 21st day of December, 2010.

THE CITY OF EL PASO




John F. Cook
Mayor

ATTEST:



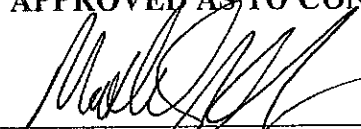
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy Deputy Director
Planning and Economic Development
Department

ORDINANCE NO. 017473

CONDITION RELEASE ZON10-00069

CITY CLERK'S OFFICE NOV 15 PM 5:12

ORD No. 017473
Date of Introduction
Date of Adoption

Prepared For: George L. Hermann
 Date: 8/09/2010
 WO. No. 050910-2

METES AND BOUNDS DESCRIPTION

Description of a 2.9976 acre parcel of land being a portion of fractional Blocks 42 and 43, of the Alexander Addition to the City of El Paso, El Paso County, Texas and a portion of Collins Survey No. 209, in the City of El Paso, El Paso County, Texas, together with those portions of Pierce Street, Erie Street and Schuster Street and an alley adjoining said portion of fractional Blocks 42 and 43 of the Alexander Addition and Collins Survey No. 209, which have been closed and re-aligned by the City of El Paso, Ordinance no. 2859, dated February 14, 1963, and a portion of Block 302 Pierce Finley Addition to the City of El Paso, El Paso County, Texas, together with those portions of Pierce Street and an alley adjacent to said portion of Block 302, Pierce Finley Addition:

Starting at an existing city monument located at the intersection of Brown Street and River Street, said monument being located ten feet (10') North and ten feet (10') East of the centerline intersection, Thence North 37°43'26" West (North 37°37'00" West as per Pierce Finley Addition as filed in Book 15, Page 54, Plat records of El Paso County, Texas) along the monument line of Brown Street a distance of 329.60 feet to a point; said point lying along the Southerly line of the Collins Survey No. 209 and the Northerly line of Pierce Finley Addition, Thence South 89°53'34" West (South 90°00'00" West as per the Collins Survey No. 209 and Pierce Finley Addition) along the Collins Survey No. 209 and Pierce Finley Addition line a distance of 852.70' feet to a set nail and shiner on rockwall, said nail lying along the Westerly right-of-way line of Cliff Drive, said nail also being the "True point of Beginning";

Thence along the westerly right-of-way line of Cliff Drive, along an arc of a curve to the left a distance 104.67 feet, whose radius is 553.48 feet, whose central angle is 10°50'08" and whose chord bears South 17°17'24" West a distance of 104.51 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C;

Thence North 37°36'02" West a distance of 477.45 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C, said rebar lying along the Easterly right-of-way line of Schuster Street;

Thence North 50°09'04" East along said right-of-way line a distance of 10.85 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C;

Thence along the easterly right-of-way line of Schuster Street, along an arc of a curve to the left a distance 246.80 feet, whose radius is 864.95 feet, whose central angle is 16°20'55" and whose chord bears North 41°58'37" East a distance of 245.96 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C;

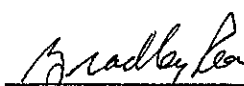
Thence South 46°39'17" East a distance of 267.68 feet to a found 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C.;

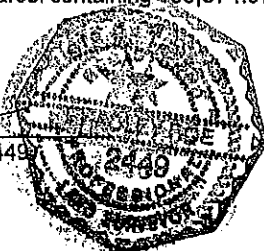
Thence North 52°26'14" East a distance of 107.90 feet to a found 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C;

Thence South 37°33'46" East a distance of 125.20 feet to a found 2Ø pipe, said pipe lying along the westerly right-of-way line of Cliff Drive;

Thence South 52°26'14" West along said westerly right-of-way line a distance of 42.67 feet to a set chiseled mark;

Thence along the westerly right-of-way line of Cliff Drive, along an arc of a curve to the left a distance 287.19 feet, whose radius is 553.48 feet, whose central angle is 29°43'48" and whose chord bears South 37°34'20" West a distance of 283.98 feet back to the "TRUE POINT OF BEGINNING" and said parcel containing 130,574.97 square feet or 2.9976 acres of land more or less.


 Bradley Roe, R.P.L.S. 2449
 Roe Engineering, L.C.



017473

Exhibit "A"

